

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al., Case No. 3:20-cv-05671-JD

In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al., Case No. 3:21-cv-05227-JD

Match Group, LLC et al. v. Google LLC et al.,
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**STIPULATED [PROPOSED] ORDER
SHORTENING TIME TO BE HEARD
FOR MOTION PURSUANT TO RULE
37(c)(1) TO EXCLUDE TRIAL
TESTIMONY BY CARSON OLIVER**

Judge: Hon. James Donato

1 WHEREAS Plaintiffs have filed concurrently with this stipulation a Notice of Motion and
2 Motion Pursuant to Rule 37(c)(1) to Exclude Trial Testimony by Carson Oliver (the “Motion”).

3 WHEREAS Plaintiffs believe it would be most efficient for the Motion to be heard during the
4 October 12, 2023 pre-trial status conference to be held in the above-captioned action (the “October 12
5 Hearing”) (*see* MDL Dkt. 603), and the parties have stipulated to page limits and a modified briefing
6 schedule in order for the Motion to be fully submitted and heard by the Court on that date.

7 WHEREAS Civil Local Rule 7-2(a) provides that “all motions must be filed, served and noticed
8 in writing on the motion calendar of the assigned Judge for hearing not less than 35 days after filing of
9 the motion.”

10 WHEREAS Plaintiffs are filing this Motion 15 days before the October 12 Hearing.

11 WHEREAS, pursuant to Civil Local Rule 6-2(a), the circumstances underlying this request, a
12 description of previous time modifications in this case, and a description of the effect of this requested
13 time modification are detailed in the accompanying declaration of Lauren A. Moskowitz.

14
15 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

16 Plaintiffs’ Motion Pursuant to Rule 37(c)(1) to Exclude Trial Testimony by Carson Oliver will
17 be heard at 10 a.m. on October 12, 2023 in Courtroom 11;

18 Plaintiffs’ Motion shall be limited to five pages in length.

19 Google’s Opposition to the Motion (if any) shall be due on October 4, 2023, and shall be limited
20 to five pages in length; and

21 Plaintiffs shall not be permitted to file a Reply in support of the Motion absent further order from
22 this Court.

1 Dated: September 27, 2023

CRAVATH, SWAINE & MOORE LLP
Christine Varney (*pro hac vice*)
Gary A. Bornstein (*pro hac vice*)
Yonatan Even (*pro hac vice*)
Lauren A. Moskowitz (*pro hac vice*)
Justin C. Clarke (*pro hac vice*)
Michael J. Zaken (*pro hac vice*)
M. Brent Byars (*pro hac vice*)

6 FAEGRE DRINKER BIDDLE & REATH LLP
7 Paul J. Riehle (SBN 115199)

8 By: /s/ Lauren A. Moskowitz
9 Lauren A. Moskowitz

10 *Counsel for Plaintiff Epic Games, Inc.*

11 Dated: September 27, 2023

BARTLIT BECK LLP
Karma M. Giulianelli

12 KAPLAN FOX & KILSHEIMER LLP
13 Hae Sung Nam

14 By: /s/ Karma M. Giulianelli
15 Karma M. Giulianelli

16 *Co-Lead Counsel for Consumer Plaintiffs in In re*
Google Play Consumer Antitrust Litigation

17 Dated: September 27, 2023

18 PRITZKER LEVINE LLP
Elizabeth C. Pritzker

19 Respectfully submitted,

20 By: /s/ Elizabeth C. Pritzker
Elizabeth C. Pritzker

21 *Liaison Counsel for Consumer Plaintiffs in In re*
Google Play Consumer Antitrust Litigation

1 Dated: September 27, 2023

OFFICE OF THE UTAH ATTORNEY GENERAL
Brendan P. Glackin
Lauren M. Weinstein

3 By: /s/ Lauren M. Weinstein
Lauren M. Weinstein

4 *Counsel for the Plaintiff States*

5 Dated: September 27, 2023

6 HUESTON HENNIGAN LLP
7 Douglas J. Dixon
Christine Woodin
Joseph A. Reiter

8 By: /s/ Douglas J. Dixon
9 Douglas J. Dixon

10 *Counsel for Plaintiffs Match Group, LLC et al.*

11 Dated: September 27, 2023

12 MUNGER, TOLLES & OLSON
13 Dane P. Shikman

14 By: /s/ Dane P. Shikman
15 Dane P. Shikman

16 *Counsel for Defendants Google LLC et al.*

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

18 Dated: _____

19 _____
20 HON. JAMES DONATO
United States District Judge

21 STIPULATED [PROPOSED] ORDER SHORTENING TIME TO BE HEARD

22 Case Nos. 3:21-md-02981-JD; 3:20-cv-05671-JD; 3:20-cv-05761-JD; 3:21-cv-05227-JD; 3:22-cv-02746-JD

1 **E-FILING ATTESTATION**

2 I, Benjamin J. Cole, am the ECF User whose ID and password are being used to file this
3 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories
4 identified above has concurred in this filing.

5 */s/ Benjamin J. Cole*

6 Benjamin J. Cole